IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 14th day of September 2005
Bail application no. 536 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Lakhi S/o Balwant Singh
R/o Village Dohri Vakeel
P.S. Kashipur
District Udham Singh Nagar …Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 1003 of 2005
Under Sections 376/506 I.P.C.
P.S. Kashipur
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No. 1003 of 2005 under Sections 376/506 I.P.S., P.S. Kashipur, District Udham Singh Nagar.

Heard Sri Dharamveer Sharma, learned Senior Advocate assisted by Mohd. Azim, learned counsel for the applicant, learned A.G.A. and perused the record.

The record shows that the prosecutrix remained in the field with the applicant for about 5 hours. The medical examination report shows that her age is about 17 years at the time of commission of crime.

The applicant is in jail since 13.03.2005 and learned A.G.A. could not produce any criminal history of the applicant before me.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Lakhi be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

14.09.2005
ASWAL